

1-1 By: Watson S.B. No. 409  
 1-2 (In the Senate - Filed February 6, 2013; February 13, 2013,  
 1-3 read first time and referred to Committee on Business and Commerce;  
 1-4 February 27, 2013, reported favorably by the following vote:  
 1-5 Yeas 8, Nays 0; February 27, 2013, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10			X	
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED  
 1-18 AN ACT

1-19 relating to the issuance of an alcoholic beverage permit or license  
 1-20 covering certain premises where a previous permit or license holder  
 1-21 has been evicted.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Section 11.44, Alcoholic Beverage Code, is  
 1-24 amended by amending Subsection (a) and adding Subsection (c) to  
 1-25 read as follows:

1-26 (a) Except as provided by Subsection (c), if ~~if~~ an order  
 1-27 of suspension against a permit or license is pending or unexpired,  
 1-28 or if the commission has initiated action to cancel or suspend a  
 1-29 permit or license, no permit or license may be issued for or  
 1-30 transferred to the same licensed premises.

1-31 (c) The commission may issue an original permit or license  
 1-32 covering an otherwise permitted or licensed premises under  
 1-33 conditions described by Subsection (a) if:

1-34 (1) the holder of the permit or license that is subject  
 1-35 to the pending or unexpired suspension order or against which the  
 1-36 cancellation or suspension action has been initiated has been  
 1-37 evicted from the premises under a final, nonappealable court  
 1-38 judgment; and

1-39 (2) all other conditions for the issuance of the new  
 1-40 permit or license covering the premises are met by the applicant.

1-41 SECTION 2. This Act takes effect September 1, 2013.

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